



City of Seattle King County
Charles Royer, Mayor Tim Hill, Executive

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Seattle-King County Department of Public Health

Bud Nicola, M.D., M.H.S.A., Director

MIDWAY HEALTH REPORT #4 The Role of the Health Department May 9, 1986

The Health Department realizes that the situation that has developed due to the Midway Landfill has been difficult for many of the residents of the area. We thought we would try to convey to you how we have approached this situation so you may better understand our responsibilities as well as our limitations in dealing with problems as complex as those we have encountered at Midway. We realize that there is an atmosphere of mistrust toward the Health Department and that some of this mistrust is rooted in history. We have found it hard to change this perspective using the usual channels of communication and we felt that a better understanding of the role of the Health Department might help this problem.

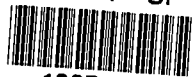
The Health Department is a joint Seattle-King County agency. The Department is administered by the County Executive. The Environmental Health Division is funded 73% by user fees (restaurants, plumbing and septic tank permits, for instance) and 27% by local tax support. The money we get from Seattle comes from their contribution to the tax base of the county and from fees. Like Seattle, incorporated cities in King County also contribute to our Department for public health services in their jurisdictions. We have heard statements to the effect that since the Health Department is part of Seattle government it is not interested in protecting the citizens of cities such as Kent and Des Moines. This statement is not accurate, since we are here to protect all citizens of King County and Seattle. In addition, we have never been pressured by any government to ignore the problems or to do something to adversely effect the residents around Midway.

Since December of 1981, when the Health Department discovered methane migrating just to the west of the landfill property line, we have been spending an inordinate amount of time on Midway. We were quite public with the discovery of methane and began remedies to safeguard the public. In April 1985, we learned of methane migration to the east. We held a press conference and tested homes in that area. In July, we were joined by the Department of Ecology and Environmental Protection Agency staff in the methane crisis. We have provided personnel and equipment throughout this situation. In the Fall of 1985, we researched the cancer registry and reported our findings. We have attended every public meeting to which we have been invited. We have dedicated a Public Health Nurse to the area, met with area doctors, answered hundreds of phone calls, performed risk assessments, helped set criteria, assisted in evacuations, urged other agencies to perform tests, helped develop a health survey, composed newsletters, briefed public officials, explored every option for improving the community's health, and reluctantly ended up as the principal press contact. Although we will never be able to do everything we are asked to do, the scope of our response to the Midway problem has been unprecedented in recent years. When our response has been limited or delayed, the reasons were rooted in constraints that influence all of our activities. These constraints include:

Funding: Our Solid Waste Program is funded for about three people who are to inspect all the landfills and transfer stations in the county, respond to thousands of complaints of illegal dumping, develop new regulations and a host of other matters.

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We have been borrowing staff from other projects in the Health Department for the Midway work. Our budget is for people, not testing or fixing things that have gone wrong. When testing is needed, we can try to persuade others to do it, even though we cannot.

Legal Jurisdiction: Each action we take has to be rooted in our given authority. If it is not, then we are not only mispending your tax money, but we are subject to liability. For instance, there has been concern expressed over the flooding at Parkside Elementary School. The Health Department has no specific authority over the flooding. We have only arguable authority if there are known health problems associated with the flooding. To date, testing by Ecology does not indicate a potential health problem.

In general, our authority is clearer the more objective the indicators are. For instance, if contaminants were found in neighborhoods at levels known to cause health effects, we could clearly act. Where levels are less than that, we have less or no authority.

Our jurisdiction is also an issue when people ask us to take care of something another agency is doing or not doing. In those cases, we can only try to persuade the other.

Science: Another constraint on us is scientific method. We approach every situation with an open mind and some skepticism. This means that we do not jump into any situation without sufficient cause. Many people expect absolute answers from us regarding the safety of chemicals. We are unable to give it. Our ability to detect pollutants has far outstripped our ability to determine all of the potential health effects at such low levels.

Ethics: We cannot impose on anyone without considering the ethics of the intrusion. Does it lead to something? Will it be important? Does the value of doing something outweigh the intrusion into peoples' lives? This factor is especially strong when we want to sample human tissue or survey people.

Our process in deciding to perform a health survey is a good example of the problems that must be considered before we can act. Although it looked as though we were ignoring the many requests for a health survey, we have spent countless hours discussing the pros and cons of a survey within the department and with experts outside the department. Every one of the constraints mentioned above influenced and lengthened this process.

Finally, our children and grandchildren will probably be shaking their heads at the ways we have chosen to dispose of our waste. Until recently, sanitary landfills were the best means of disposing of garbage. The Midway Landfill was operated as well as any other landfill. Given the alternatives, it is still, at worst, a close second. Only recently have landfills been exposed as environmental problems rather than solutions. New state regulations came out in late 1985. The Superfund program to clean up waste sites will soon be dominated by landfills. Midway's geologic peculiarities have only recently appeared as a major problem. The Health Department has responded to this problem in a manner consistent with its mandate to protect the public health while remaining within our legal authority and ethical standards of conduct.

If you have any comments or questions regarding the issues reviewed in this report, please call Melissa Venskus at 946-4458 or Chuck Kleeberg at 587-2722. Only through open communication and mutual respect and trust will we be able to find solutions to the problems that exist in the Midway area.